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June 21, 2006

VIA ELECTRONIC MAIL AND U.S. MAIL

Alessandro A. Iuppa, Superintendent
Attn: Vanessa J. Leon
Docket No. INS-06-900
Maine Bureau of Insurance
34 State House Station
Augusta, ME 04333-0034

In Re: Review Of Aggregate Measurable Cost Savings Determined By Dirigo Health
For The Second Assessment Year

FILING COVERSHEET

Dear Superintendent Iuppa:

Enclosed for filing please find the following:

SUBMITTED BY: Christopher T. Roach

DATE: June 21, 2006

DOCUMENT TITLE: Anthem BCBS's Opposition To CAHC's Motion For Leave to
Serve Informational Requests And / Or Present Evidence

DOCUMENT TYPE: Motion

CONFIDENTIAL: **NO**

Thank you for your assistance in this matter.

Very truly yours,

Christopher T. Roach

NON-CONFIDENTIAL

STATE OF MAINE
DEPARTMENT OF PROFESSIONAL AND FINANCIAL REGULATION
BUREAU OF INSURANCE

IN RE:)	
)	ANTHEM BCBS'S OPPOSITION TO
REVIEW OF AGGREGATE)	CAHC'S MOTION FOR LEAVE TO
MEASURABLE COST SAVINGS)	SERVE INFORMATIONAL
DETERMINED BY DIRIGO HEALTH)	REQUESTS AND / OR PRESENT
FOR THE SECOND ASSESSMENT)	EVIDENCE
YEAR)	
)	
Docket No. INS-06-900)	June 21, 2006
)	

NON-CONFIDENTIAL

Pursuant to the Superintendent's Order on Intervention and Procedures issued June 15, 2006, Anthem Health Plans of Maine, Inc. d/b/a/ Anthem Blue Cross and Blue Shield ("Anthem BCBS"), by and through its attorney, hereby opposes the Motion For Leave To Serve Informational Requests And / Or Present Additional Evidence filed by Consumers for Affordable Healthcare ("CAHC") because granting CAHC's request essentially would re-open every aspect of the proceedings before the DHA Board and result in what amounts to a duplicative adjudicatory hearing. While Anthem BCBS does not believe that the process before the DHA Board was fundamentally fair to all parties, CAHC was directly aligned with DHA, acting essentially as a co-plaintiff in the case, and most certainly had a full and fair opportunity to explore and add evidence on all topics, including those that are the subject of its motion. The open-ended request by CAHC is ironic in the sense that it is directed at DHA, but in any event, is contrary to the construct directed by the Superintendent in the Notice of Hearing establishing this docket. CAHC's motion should be denied.

Pursuant to 24-A M.R.S.A. § 6913(1)(C), the purpose of this proceeding is for the Superintendent to review the record of the determination made by the Board of Directors of the Dirigo Health Agency ("Dirigo Board" or "Board") and determine whether the aggregate measurable cost savings ("AMCS") filed by the Board are reasonably supported by the evidence in the record. In the Notice of Pending Proceeding and Hearing issued on April 26, 2006 ("Notice of Proceeding"), the Superintendent limited the scope of that inquiry to review of "the submission made pursuant to section 6913(1)(B) and to the record of the proceeding before the Dirigo Board, except as may be otherwise expressly provided [in the Notice of Hearing]." Section IV(E) of the Notice of Hearing provides that "a party may serve limited information requests or present additional evidence if the Superintendent finds that the new information or

additional evidence is relevant to the issue presented in the proceeding and will not cause repetition or unreasonable delay.”

Contrary to this limited ability to supplement the record with new information, the information CAHC seeks to obtain and then present at hearing essentially would reopen the complete factual testimony regarding the methodology and all measures approved by the Board. CAHC had a full opportunity to develop the record before the DHA Board and should not receive a second bite at the apple at this point on facts and topics that are not new at all.

For the reasons set forth above, Anthem BCBS respectfully suggests that CAHC’s Motion should be denied.

DATED: June 21, 2006

Christopher T. Roach, Esq.

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Attorney for Anthem BCBS

CERTIFICATE OF SERVICE

The undersigned hereby certifies that on June 21, 2006, a copy of Anthem BCBS's Opposition To CAHC's Motion For Leave to Serve Informational Requests And / Or Present Evidence was served on each of the persons listed below and in the manner indicated.

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INS-06-900
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DATED: June 21, 2006

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